

**Remarks**

The application is reviewed in light of the Office Action mailed April 23, 2004. Reconsideration of the Office Action is earnestly requested in view of the foregoing Amendment and the following Remarks.

Claims 1-4, and 6-16 are pending in the application. By the foregoing Amendment, claims 1-4, and 6-8 have been amended, and claim 5 has been cancelled. New claims 9-16 have been added. No new matter is introduced by the Amendment. Support for the Amendment is found throughout the application as filed.

The Examiner has objected the specification because of certain informalities found therein. Applicant respectfully submits that such informalities and other errors have been corrected by the foregoing Amendment. In addition, FIGS. 1 and 4 of the drawings have been amended to eliminate certain informalities.

The Examiner has rejected claims 1-3, and 8/1 under 35 U.S.C. 112, second paragraph, as being indefinite to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully submits that such claims 1-3, and 8/1 as amended are now in the form satisfying the requirements under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claims 1, 2, 4, and 5 under 35 U.S.C. 102(b) as being anticipated by Miki (U.S. Patent No. 3,297,078). The Examiner has simply stated that Miki discloses an assembled electromotive curtain comprising a main controller 9, a wire driving part 10, 7, a main rail 1, an auxiliary rail 11a, and a tension maintaining part 22, 23. However, Applicant respectfully submits that claims 1, 2, 4, and 5, as amended, are patentably distinct over Miki.

Among claims 1, 2, 4 and 5, the rejection to claims 1 and 2 of the invention is first discussed herein. Claims 1 and 2, as amended, each requires among other limitations

that the controller includes a motor, a control circuit, and a sensing means for detecting the position of the curtains, and that the controller is detachably coupled to the wire driving member and controls positioning of the curtains using the position of the curtains detected by the sensing means.

Miki discloses a motor-driven curtain mechanism which includes a curtain rail 1, a pair of pulleys 7 and 7a, an endless cord 8 trained around the pulleys 7 and 7a, and a driving motor 9 coupled to one of the pulleys 7 or 7a.

Miki, however, fails to disclose or teach each and every elements or limitations of the claimed invention as required by claims 1 and 2. In particular, Miki fails to disclose or teach that the controller includes a motor, a control circuit, and a sensing means for detecting the position of the curtains. As the Examiner acknowledged, Miki does not disclose a sensing means. Nor it discloses a control circuit which, together with the motor and the sensing means, constitutes a controller as required by the claimed invention.

Moreover, Miki further fails to disclose or teach that the controller (which is detachably coupled to the wire driving member) controls positioning of the curtains using the position of the curtains detected by the sensing means, as required by claims 1 and 2 of the present invention. As discussed, Miki does not include a controller with a motor, a control circuit, and a sensing means contained therein. Thus, the motor 9 of the Miki disclosure does not control positioning of the curtains using the position of the curtains detected by the sensing means.

Accordingly, in view of the foregoing, claims 1 and 2 as amended are patentably distinct over Miki.

In addition, Applicant respectfully submits that other cited references also fail to disclose or teach at least some of the above identified limitations of the claims 1 and 2. In this regard, the Examiner has particularly cited Boss (U.S. Patent No. 5,371,447) in

connection with a succeeding obviousness rejection to claim 3 (and claim 6) which is dependent from independent claim 1.

Boss discloses an automated control 25 for actuating a stepper motor 27 to move drapes 23 to any selected position at any selected time and in any *selected sequence* of drape movements. See, for example, the Abstract section, and Column 2, lines 45-55 of the Boss disclosure.

However, similar to Miki as discussed, Boss also fails to disclose or teach, among others, a sensing means for detecting the position of the curtains which is required by claims 1 and 2 of the present invention. The Examiner has simply stated that Boss comprises a sensing means 25. However, the applicant respectfully disagrees. Boss does not disclose or teach any positive sensing means which detects the position of the drapes or curtains 23 for subsequent control of the positioning of the curtains. As specified at Column 2, lines 45-55 of Boss, the automated control 25 of Boss enables the drapes 23 to be positioned at a *plurality of pre-programmed selected positions* (as indicated by the positions P1, P2, P3, P4, P5, and P6 at the top of FIG. 1) at predetermined, selectable times. For this automated and pre-programmed control, Boss provides a plurality of programming means, position inputting means, clock means, etc. However, Boss does not provide a sensing means for detecting the current position of the drapes or curtains for the control.

Moreover, similar to Miki as discussed, Boss further fails to disclose or teach that the controller (which is detachably coupled to the wire driving member) controls positioning of the curtains using the position of the curtains detected by the sensing means, as required by claims 1 and 2 of the present invention. As discussed, Boss does not provide a sensing means for detecting the current position of the drapes or curtains for the control. As a consequence, the automated control 25 of Boss does not control positioning of the curtains using the position of the curtains detected by the sensing means, as required by claims 1 and 2 of the present invention.

Among claims 1, 2, 4 and 5, the rejection to claims 4 and 5 of the invention is discussed herein. Claims 4 and 5, as amended, each requires among other limitations that the controller includes a motor, and a sensing means for detecting the position of the curtains, and that the controller is detachably coupled to the wire driving member so as to transfer the wire for positioning of the curtains using the position of the curtains detected by the sensing means.

As discussed above, Miki discloses or teaches a motor-driven curtain mechanism which includes a curtain rail 1, a pair of pulleys 7 and 7a, an endless cord 8 trained around the pulleys 7 and 7a, and a driving motor 9 coupled to one of the pulleys 7 or 7a.

Miki, however, fails to disclose or teach each and every elements or limitations of the claimed invention as required by claims 4 and 5. In particular, Miki fails to disclose or teach that the controller includes a motor, and a sensing means for detecting the position of the curtain. As the Examiner acknowledged, Miki does not disclose a sensing means. Nor it discloses any controller which includes the motor and the sensing means as required by the claimed invention. Moreover, Miki further fails to disclose or teach that the controller is detachably coupled to the wire driving member so as to transfer the wire for positioning of the curtains using the position of the curtains detected by the sensing means. As discussed, Miki does not include a controller with a motor and a sensing means contained therein in which the sensing means detects the position of the curtains. Thus, the motor 9 of the Miki disclosure does not utilize the position of the curtains detected by the sensing means for transferring the wire.

Accordingly, in view of the foregoing, claims 4 and 5 as amended are patentably distinct over Miki.

In addition, Applicant respectfully submits that other cited references also fail to disclose or teach at least some of the above identified limitations of the claims 4 and 5. The Examiner has particularly cited Boss (U.S. Patent No. 5,371,447) in connection with

a succeeding obviousness rejection to claim 6 (and claim 3) which is dependent from independent claim 4.

Boss discloses an automated control 25 for actuating a stepper motor 27 to move drapes 23 to any selected position at any selected time and in any *selected sequence* of drape movements. See, for example, the Abstract section, and Column 2, lines 45-55 of the Boss disclosure.

However, similar to Miki as discussed, Boss also fails to disclose or teach, among others, a sensing means for detecting position of the curtain which is required by claims 4 and 5 of the present invention. The Examiner has simply stated that Boss comprises a sensing means 25. However, the applicant respectfully disagrees. Boss does not disclose or teach any positive sensing means which detects the position of the drapes or curtains 23 for subsequent control of the positioning of the curtains. As specified at Column 2, lines 45-55 of Boss, the automated control 25 of Boss enables the drapes 23 to be positioned at a *plurality of pre-programmed selected positions* (as indicated by the positions P1, P2, P3, P4, P5, and P6 at the top of FIG. 1) at predetermined, selectable times. For this automated and pre-programmed control, Boss provides a plurality of programming means, position inputting means, clock means, etc. However, Boss does not provide a sensing means for detecting the current position of the drapes or curtains for the control.

Moreover, similar to Miki as discussed, Boss further fails to disclose or teach that the controller is detachably coupled to the wire driving member so as to transfer the wire for positioning of the curtains *using the position of the curtains detected by the sensing means*, as required by claims 4 and 5 of the present invention. As discussed, Boss does not provide a sensing means for detecting the current position of the drapes or curtains for the control. Likewise, there is no showing that the automated control 25 of Boss can be detachably coupled to the wire driving member so as to transfer the wire for positioning of the curtains using the position of the curtains detected by the sensing

means. As discussed above, Boss utilizes a different control which controls the curtain location based on an automated and pre-programmed method.

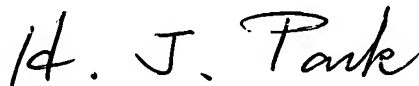
Therefore, in view of the foregoing, claims 1, 2, 4 and 5 are patentable over the cited references including Miki and Boss.

The Examiner has further rejected claims 3 and 6 under 35 U.S.C. 103(a) as being unpatentable over Miki (U.S. Patent No. 3,297,078) in view of Boss (U.S. Patent No. 5,371,447). Applicant respectfully submits that claims 3 and 6, as amended, are dependent from claims 1 and 4, respectively, and are patentable at least for the reasons that claims 1 and 4 are patentable as discussed above.

Finally, Applicant respectfully acknowledges the Examiner's indication of allowability of claims 7, 8/4 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that claims 7, 8/4, as amended, are now in condition for allowance.

Applicant submits all of the claims currently pending in the application, i.e., claims 1-4, and 6-16 are now in condition for allowance. Early notice to that effect is respectfully requested.

Respectfully submitted,



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